

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

V.

JAMAAL A. MCNEIL,

Defendant.

8:06CR123

ORDER

This matter is before the court on defendant Jamaal A. McNeil's petition for writ of mandamus with the Eighth Circuit Court of Appeals, Case No. 08-2689 ([Filing No. 181](#)). The Eighth Circuit has asked this court to respond to the petition for mandamus. (Letter from Michael E. Gans, Clerk of Court, dated July 31, 2008, [Filing No. 181, attachment 1](#).) In his writ of mandamus, the defendant asks the Eighth Circuit to release him from custody at the Federal Correctional Institution, Pekin, Illinois.

This court has carefully reviewed defendant's request for mandamus relief. Defendant is requesting that this court or the Eighth Circuit Court of Appeals release him from jail. The defendant states he does not understand why this court incarcerated him in the first instance, and he would like to return to his job at Pizza Hut. It is this court's belief that defendant's current request to the Eighth Circuit for release from custody is without merit and has no basis in law.

The court directs the Clerk of Court for the District of Nebraska to send a copy of this response to the parties in this case, and in particular to Jamaal A. McNeil, and to the office of Michael E. Gans, Clerk of Court, Eighth Circuit Court of Appeals.

DATED this 1st day of August, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief U.S. District Judge